

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler
:
v. : Crim. No. 09-697 (SRC)
:
JAMES ARTFITCH : CONTINUANCE ORDER

A criminal indictment charging the defendant with, among other offenses, distributing material that contained images of child pornography in violation of Title 18, United States Code, Section 2252A(a)(2)(B), having been filed on September 15, 2009; and the defendant being represented by John Azzarello, Esq.; and the defendant and his counsel being aware that he has the right to have the matter brought to trial within (70) days of defendant's indictment on these charges, pursuant to Title 18, United States Code, Section 3161(c)(1); and two continuances having previously been granted by this Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A); the defendant hereby requests a continuance pursuant to Title 18, United States Code, Section 3161(h)(7)(A) in order to permit the time necessary for the defendant to conclude expert analysis and consider negotiation of a plea agreement; the Government having agreed to this continuance; and for good cause shown;

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. The trial presents complex issues requiring

substantial defense expert analysis;

2. The defendant has requested additional time to complete this analysis and consider negotiation of a guilty plea, and has consented to the aforementioned continuance;

3. The grant of a continuance will likely conserve judicial resources; and

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 8 day of March, 2010,

IT IS ORDERED that defendant's pre-trial motions shall be filed by April 12, 2010; and the Government's response shall be filed by April 26, 2010; hearing on pre-trial motions and trial, if necessary, shall be scheduled by further order of the Court; and

IT IS FURTHER ORDERED that the period from (and including) April 13, 2010, through (and including) May 23, 2010, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).

SEEN AND AGREED:

Randall H. Cook
Randall H. Cook
Assistant U.S. Attorney

John Azzarelli
John Azzarelli, Esq.
Counsel for Defendant


HONORABLE STANLEY R. CHESLER
United States District Judge